

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

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FELISHATAY ALVARADO, :  
Plaintiff, :  
v. : Civil Action  
CITY OF PHILADELPHIA, et al., : No. 22-3763  
Defendants. :  
:

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**VERDICT SHEET**

**I. Constitutional claims against individual SWAT Unit Officer defendants Joshua Burkitt, Eric Clark, Kevin Mellody, Brian Murray, Patrick Saba, Demetrius Monk, Edward Song, and Jose Hamoy**

*Entry*

1. Do you find that Felishatay Alvarado has proven by a preponderance of the evidence that the following individual SWAT Unit Officers unreasonably entered her residence and violated her Fourth Amendment right to be free from unreasonable search?

Joshua Burkitt	YES	<input checked="" type="checkbox"/>	NO	_____
Eric Clark	YES	<input checked="" type="checkbox"/>	NO	_____
Kevin Mellody	YES	<input checked="" type="checkbox"/>	NO	_____
Brian Murray	YES	<input checked="" type="checkbox"/>	NO	_____
Patrick Saba	YES	<input checked="" type="checkbox"/>	NO	_____
Demetrius Monk	YES	<input checked="" type="checkbox"/>	NO	_____
Edward Song	YES	<input checked="" type="checkbox"/>	NO	_____
Jose Hamoy	YES	<input checked="" type="checkbox"/>	NO	_____

*Proceed to Question 2 (next page)*

*Seizure*

2. Do you find that Felishatay Alvarado has proven by a preponderance of the evidence that the following individual SWAT Unit Officers unreasonably seized her and violated her Fourth Amendment right to be free from unreasonable seizure?

Joshua Burkitt	YES _____	NO <u>✓</u>
Eric Clark	YES _____	NO <u>✓</u>
Kevin Mellody	YES _____	NO <u>✓</u>
Brian Murray	YES _____	NO <u>✓</u>
Patrick Saba	YES _____	NO <u>✓</u>
Demetrius Monk	YES _____	NO <u>✓</u>
Edward Song	YES _____	NO <u>✓</u>
Jose Hamoy	YES _____	NO <u>✓</u>

*If you answered "Yes" anywhere in questions 1 or 2, then proceed to SWAT Unit Officer damages, question 3 (next page)*

*If you answered "No" as to every individual SWAT Unit Officer in questions 1 and 2, then skip questions 3, 4, and 5, and proceed directly to question 6 (page 6)*

*SWAT Unit Officer Compensatory Damages*

3. Please state the amount of compensatory damages, if any, that Felishatay Alvarado has proven by a preponderance of the evidence that will compensate her for any and all injuries she sustained due to the conduct of the SWAT Unit Officers you found liable.

Joshua Burkitt	\$ <u>0</u>
Eric Clark	\$ <u>0</u>
Kevin Mellody	\$ <u>0</u>
Brian Murray	\$ <u>0</u>
Patrick Saba	\$ <u>0</u>
Demetrius Monk	\$ <u>0</u>
Edward Song	\$ <u>0</u>
Jose Hamoy	\$ <u>0</u>
Total	\$ <u>0</u>

*Proceed to Question 4 (next page)*

*SWAT Unit Officer Punitive Damages*

4. Do you find that the following individual SWAT Unit Officers acted maliciously or wantonly against Felishatay Alvarado under the facts found by you?

Joshua Burkitt	YES	<hr/>	NO	<hr/> <input checked="" type="checkbox"/>
Eric Clark	YES	<hr/>	NO	<hr/> <input checked="" type="checkbox"/>
Kevin Mellody	YES	<hr/>	NO	<hr/> <input checked="" type="checkbox"/>
Brian Murray	YES	<hr/>	NO	<hr/> <input checked="" type="checkbox"/>
Patrick Saba	YES	<hr/>	NO	<hr/> <input checked="" type="checkbox"/>
Demetrius Monk	YES	<hr/>	NO	<hr/> <input checked="" type="checkbox"/>
Edward Song	YES	<hr/>	NO	<hr/> <input checked="" type="checkbox"/>
Jose Hamoy	YES	<hr/>	NO	<hr/> <input checked="" type="checkbox"/>

*If you answered "Yes" for any individual SWAT Unit Officers in the above question, then proceed to question 5 (next page).*

*If you answered "No" as to every individual SWAT Unit Officer in the above question, then skip question 5, and proceed directly to question 6 (page 6).*

5. Do you award punitive damages against the following individual Defendants for whom you answered "Yes," above?

Joshua Burkitt

YES \_\_\_\_\_

NO

If yes, in what amount? \$ \_\_\_\_\_

Eric Clark

YES \_\_\_\_\_

NO

If yes, in what amount? \$ \_\_\_\_\_

Kevin Mellody

YES \_\_\_\_\_

NO

If yes, in what amount? \$ \_\_\_\_\_

Brian Murray

YES \_\_\_\_\_

NO

If yes, in what amount? \$ \_\_\_\_\_

Patrick Saba

YES \_\_\_\_\_

NO

If yes, in what amount? \$ \_\_\_\_\_

Demetrius Monk

YES \_\_\_\_\_

NO

If yes, in what amount? \$ \_\_\_\_\_

Edward Song

YES \_\_\_\_\_

NO

If yes, in what amount? \$ \_\_\_\_\_

Jose Hamoy

YES \_\_\_\_\_

NO

If yes, in what amount? \$ \_\_\_\_\_

*Proceed to question 6 (next page).*

## II. Constitutional Claims Against Defendant City of Philadelphia

### *Liability*

6. Do you find Felishatay Alvarado proved, by a preponderance of the evidence, that the City of Philadelphia failed to adequately train its SWAT Unit Officers in a specifically identified way that amounted to deliberate indifference and that failure was the moving force behind a violation of her Fourth Amendment right to be free from unreasonable search and seizure?

YES ✓ NO \_\_\_\_\_

*If your answer to the above question is "Yes," then proceed to question 7 below.*

*If your answer to the above question is "No," then skip question 7, and proceed directly to the signature section below.*

### *Compensatory Damages*

7. Please state the amount of compensatory damages, if any, that Felishatay Alvarado has proven by a preponderance of the evidence that will compensate her for any and all injuries she sustained due to the City of Philadelphia's failure to adequately train its SWAT Unit Officers.

\$ 1,000,143.50

### **Signature**

This is our true verdict, **SO SAY WE ALL**, this 27 day of September, 2024.

Foreperson

PLEASE HAVE THE FOREPERSON SIGN THE VERDICT SHEET AND NOTIFY THE COURT DEPUTY THAT YOU HAVE COMPLETED YOUR DELIBERATIONS.